

105<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 1605

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## AMENDMENTS

# ***In the House of Representatives, U. S.,***

*May 12, 1998.*

*Resolved*, That the bill from the Senate (S. 1605) entitled “An Act to establish a matching grant program to help States, units of local government, and Indian tribes to purchase armor vests for use by law enforcement officers”, do pass with the following

## **AMENDMENTS:**

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2       *This Act may be cited as the “Bulletproof Vest Part-*  
3 *nership Grant Act of 1998”.*

4 ***SEC. 2. FINDINGS; PURPOSE.***

5       *(a) FINDINGS.—Congress finds that—*

6               *(1) the number of law enforcement officers who*  
7 *are killed in the line of duty would significantly de-*  
8 *crease if every law enforcement officer in the United*  
9 *States had the protection of an armor vest;*

10              *(2) according to studies, between 1985 and 1994,*  
11 *709 law enforcement officers in the United States*  
12 *were feloniously killed in the line of duty;*

1           (3) *the Federal Bureau of Investigation estimates*  
2           *that the risk of fatality to law enforcement officers*  
3           *while not wearing an armor vest is 14 times higher*  
4           *than for officers wearing an armor vest;*

5           (4) *the Department of Justice estimates that ap-*  
6           *proximately 150,000 State, local, and tribal law en-*  
7           *forcement officers, nearly 25 percent, are not issued*  
8           *body armor;*

9           (5) *according to studies, between 1985 and 1994,*  
10          *bullet-resistant materials helped save the lives of more*  
11          *than 2,000 law enforcement officers in the United*  
12          *States; and*

13          (6) *the Executive Committee for Indian Country*  
14          *Law Enforcement Improvements reports that violent*  
15          *crime in Indian country has risen sharply, despite a*  
16          *decrease in the national crime rate, and has con-*  
17          *cluded that there is a “public safety crisis in Indian*  
18          *country”.*

19          (b) *PURPOSE.—The purpose of this Act is to save lives*  
20          *of law enforcement officers by helping State, local, and trib-*  
21          *al law enforcement agencies provide officers with armor*  
22          *vests.*

1 **SEC. 3. MATCHING GRANT PROGRAM FOR LAW ENFORCE-**  
 2 **MENT ARMOR VESTS.**

3 (a) *IN GENERAL.*—*Title I of the Omnibus Crime Con-*  
 4 *trol and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.)*  
 5 *is amended—*

6 (1) *by redesignating part Y as part Z;*

7 (2) *by redesignating section 2501 as section*  
 8 *2601; and*

9 (3) *by inserting after part X the following new*  
 10 *part:*

11 **“PART Y—MATCHING GRANT PROGRAM FOR LAW**  
 12 **ENFORCEMENT ARMOR VESTS**

13 **“SEC. 2501. PROGRAM AUTHORIZED.**

14 “(a) *IN GENERAL.*—*The Director of the Bureau of Jus-*  
 15 *tice Assistance is authorized to make grants to States, units*  
 16 *of local government, and Indian tribes to purchase armor*  
 17 *vests for use by State, local, and tribal law enforcement offi-*  
 18 *cers.*

19 “(b) *USES OF FUNDS.*—*Grants awarded under this*  
 20 *section shall be—*

21 “(1) *distributed directly to the State, unit of*  
 22 *local government, or Indian tribe; and*

23 “(2) *used for the purchase of armor vests for law*  
 24 *enforcement officers in the jurisdiction of the grantee.*

25 “(c) *PREFERENTIAL CONSIDERATION.*—*In awarding*  
 26 *grants under this part, the Director of the Bureau of Justice*

1 Assistance may give preferential consideration, if feasible,  
 2 to an application from a jurisdiction that—

3 “(1) has the greatest need for armor vests based  
 4 on the percentage of law enforcement officers in the  
 5 department who do not have access to a vest;

6 “(2) has, or will institute, a mandatory wear  
 7 policy that requires on-duty law enforcement officers  
 8 to wear armor vests whenever feasible; and

9 “(3) has a violent crime rate at or above the na-  
 10 tional average as determined by the Federal Bureau  
 11 of Investigation; or

12 “(4) has not received a block grant under the  
 13 Local Law Enforcement Block Grant program de-  
 14 scribed under the heading ‘Violent Crime Reduction  
 15 Programs, State and Local Law Enforcement Assist-  
 16 ance’ of the Departments of Commerce, Justice, and  
 17 State, the Judiciary, and Related Agencies Appro-  
 18 priations Act, 1998 (Public Law 105–119).

19 “(d) MINIMUM AMOUNT.—Unless all eligible applica-  
 20 tions submitted by any State or unit of local government  
 21 within such State for a grant under this section have been  
 22 funded, such State, together with grantees within the State  
 23 (other than Indian tribes), shall be allocated in each fiscal  
 24 year under this section not less than 0.50 percent of the  
 25 total amount appropriated in the fiscal year for grants pur-

1 *suant to this section, except that the United States Virgin*  
2 *Islands, American Samoa, Guam, and the Northern Mari-*  
3 *ana Islands shall be each be allocated .25 percent.*

4       “(e) *MAXIMUM AMOUNT.*—A qualifying State, unit of  
5 local government, or Indian tribe may not receive more  
6 than 5 percent of the total amount appropriated in each  
7 fiscal year for grants under this section, except that a State,  
8 together with the grantees within the State may not receive  
9 more than 20 percent of the total amount appropriated in  
10 each fiscal year for grants under this section.

11       “(f) *MATCHING FUNDS.*—The portion of the costs of  
12 a program provided by a grant under subsection (a) may  
13 not exceed 50 percent. Any funds appropriated by Congress  
14 for the activities of any agency of an Indian tribal govern-  
15 ment or the Bureau of Indian Affairs performing law en-  
16 forcement functions on any Indian lands may be used to  
17 provide the non-Federal share of a matching requirement  
18 funded under this subsection.

19       “(g) *ALLOCATION OF FUNDS.*—At least half of the  
20 funds available under this part shall be awarded to units  
21 of local government with fewer than 100,000 residents.

22 **“SEC. 2502. APPLICATIONS.**

23       “(a) *IN GENERAL.*—To request a grant under this  
24 part, the chief executive of a State, unit of local government,  
25 or Indian tribe shall submit an application to the Director

1 *of the Bureau of Justice Assistance in such form and con-*  
 2 *taining such information as the Director may reasonably*  
 3 *require.*

4       “(b) *REGULATIONS.*—Not later than 90 days after the  
 5 *date of the enactment of this part, the Director of the Bu-*  
 6 *reau of Justice Assistance shall promulgate regulations to*  
 7 *implement this section (including the information that*  
 8 *must be included and the requirements that the States,*  
 9 *units of local government, and Indian tribes must meet)*  
 10 *in submitting the applications required under this section.*

11       “(c) *ELIGIBILITY.*—A unit of local government that re-  
 12 *ceives funding under the Local Law Enforcement Block*  
 13 *Grant program (described under the heading ‘Violent Crime*  
 14 *Reduction Programs, State and Local Law Enforcement*  
 15 *Assistance’ of the Departments of Commerce, Justice, and*  
 16 *State, the Judiciary, and Related Agencies Appropriations*  
 17 *Act, 1998 (Public Law 105–119)) during a fiscal year in*  
 18 *which it submits an application under this part shall not*  
 19 *be eligible for a grant under this part unless the chief execu-*  
 20 *tive officer of such unit of local government certifies and*  
 21 *provides an explanation to the Director that the unit of*  
 22 *local government considered or will consider using funding*  
 23 *received under the block grant program for any or all of*  
 24 *the costs relating to the purchase of armor vests, but did*  
 25 *not, or does not expect to use such funds for such purpose.*

1 **“SEC. 2503. DEFINITIONS.**

2 *“For purposes of this part—*

3 *“(1) the term ‘armor vest’ means body armor, no*  
4 *less than Type I, which has been tested through the*  
5 *voluntary compliance testing program operated by the*  
6 *National Law Enforcement and Corrections Tech-*  
7 *nology Center of the National Institute of Justice*  
8 *(NIJ), and found to meet or exceed the requirements*  
9 *of NIJ Standard 0101.03, or any subsequent revision*  
10 *of such standard;*

11 *“(2) the term ‘body armor’ means any product*  
12 *sold or offered for sale as personal protective body*  
13 *covering intended to protect against gunfire, stabbing,*  
14 *or other physical harm;*

15 *“(3) the term ‘State’ means each of the 50 States,*  
16 *the District of Columbia, the Commonwealth of Puer-*  
17 *to Rico, the United States Virgin Islands, American*  
18 *Samoa, Guam, and the Northern Mariana Islands;*

19 *“(4) the term ‘unit of local government’ means a*  
20 *county, municipality, town, township, village, parish,*  
21 *borough, or other unit of general government below*  
22 *the State level;*

23 *“(5) the term ‘Indian tribe’ has the same mean-*  
24 *ing as in section 4(e) of the Indian Self-Determina-*  
25 *tion and Education Assistance Act (25 U.S.C.*  
26 *450b(e)); and*



1           “(6) the term ‘law enforcement officer’ means  
 2           any officer, agent, or employee of a State, unit of  
 3           local government, or Indian tribe authorized by law  
 4           or by a government agency to engage in or supervise  
 5           the prevention, detection, or investigation of any vio-  
 6           lation of criminal law, or authorized by law to super-  
 7           vise sentenced criminal offenders.”.

8           (b) *AUTHORIZATION OF APPROPRIATIONS.*—Section  
 9   1001(a) of the Omnibus Crime Control and Safe Streets Act  
 10   of 1968 (42 U.S.C. 3793(a)) is amended by adding at the  
 11   end the following new paragraph:

12           “(23) There are authorized to be appropriated to carry  
 13   out part Y, \$25,000,000 for each of fiscal years 1999  
 14   through 2001.”.

15   **SEC. 4 SENSE OF THE CONGRESS.**

16           *In the case of any equipment or products that may*  
 17   *be authorized to be purchased with financial assistance pro-*  
 18   *vided using funds appropriated or otherwise made available*  
 19   *by this Act, it is the sense of the Congress that entities re-*  
 20   *ceiving the assistance should, in expending the assistance,*  
 21   *purchase only American-made equipment and products.*

Amend the title so as to read “An Act to establish a matching grant program to help State and local jurisdictions purchase armor vests for use by law enforcement departments.”.

Attest:

*Clerk.*